

REMARKS

Claims 1, 4-6, 8-16, 19-20, 23, 47, 50-52, 54-62, 65-66, and 69-75 are pending in the instant application. Claims 2-3, 7, 17-18, 21-22, 24-46, 48-49, 53, 63-64, and 67-68 have previously been cancelled without prejudice or disclaimer. Claims 1, 14, and 47 have been amended. The amendments merely serve to clarify the nature of the claims or to correct an inadvertent typographical error and therefore do not constitute new matter. Support for the amendments may be found throughout the specification, for instance in Examples 1-54. The rejections set forth in the Office Action have been overcome by amendment or are traversed by argument below.

1. Claim Rejections - 35 U.S.C. § 112, first paragraph, enablement

The Office has rejected claims 47, 50-52, 54-62, 65, 66, 69, and 73-75 under 35 U.S.C. § 112, first paragraph, as not enabled. Specifically, the Office asserts that the recitation of the term "pharmaceutical composition" necessarily implies an assertion of therapeutic efficacy, which is not in evidence. Applicants respectfully traverse this assertion. The term "pharmaceutical composition" is well known in the art, and use of the word "pharmaceutical" does not imply therapeutic efficacy, but merely delineates the character of the secondary constituents of the composition.

Nevertheless, solely in order to expedite prosecution of the instant application and to bring the presently pending claims to allowance, Applicants have amended Claim 47 to remove the term "pharmaceutical" from the phrase "pharmaceutical composition." Applicants contend that this

amendment in no way limits the scope of Claim 47 and its dependent claims. In view of the above amendment, Applicants respectfully request that the rejection of Claims 47, 50-52, 54-62, 65, 66, 69, and 73-75 under 35 U.S.C. § 112, first paragraph be withdrawn.

Applicants gratefully acknowledge allowance of Claims 1, 4-6, 8-16, 19, 20, 23, and 70-72. Applicants respectfully contend that the remaining pending claims as amended are in condition for allowance. If Examiner Lukton believes it to be helpful, he is invited to contact the undersigned representative by telephone at (312) 913-2136.

Respectfully submitted,

Dated: 3/12/04 By:



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